S.B.CRIMINAL MISC. BAIL APPLICATION NO.2115/2007
(Riyajuddin vs. State of Rajasthan)

DATE OF ORDER : July 06, 2007

HON'BLE MR.H.R.PANWAR,J.

Mr.S.Saruparia, for the petitioner.
Mr.Ashok Upadhyaya, Public Prosecutor for State.
Mr.Sanjay Nahar, for the complainant.

Heard learned counsel for the petitioner and the Public Prosecutor for the State assisted by counsel for the complainant. Perused the order impugned.

It is contended by the learned counsel for the petitioner and the counsel appearing for the complainant submit that the petitioner and the prosecutrix have solemnized "Nikah" and they are living as husband and wife and the complainant has no objection if the anticipatory bail is granted to the petitioner under section 438 Cr.P.C.

Looking to the facts and circumstances of the case and having considered the oral arguments advanced by learned counsel for the parties, I consider it just and proper to grant anticipatory bail to the petitioner.

Accordingly, the bail application filed by petitioner under

section 438 Cr.P.C. is allowed and it is directed that in the event of arrest of petitioner Riyajuddin s/o Sahabuddin Mansoori in FIR No. 167/2007, Police Station, City Kotwali, Bhilwara, he shall be released on bail for a period till the police concludes the investigation and files the challan provided he furnishes a personal bond in the sum of Rs.10,000/- along with one surety of like amount to the satisfaction of Investigating Officer to surrender and appear before the trial court on the date of filing of the challan after conclusion of the investigation on the following conditions:-

(i)That he shall make himself available for interrogation by a police officer as and when required;

(ii)That he shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer and;

(iii)That he shall not leave India without the previous permission of the Court.

The petitioner shall surrender before the trial court on the date of filing of the challan.

(H.R.PANWAR),J.

m.asif/-